UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/995,320
Filing Date: November 26, 2001
Appellant(s): BROSS ET AL.

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Timothy B. Kang
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 12th, 2006 appealing from the

Office action mailed May 2nd, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the

brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial

proceedings, which will directly affect or be directly affected by or have a bearing

on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection

contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal

because they have been withdrawn by the examiner: a) The 112 second paragraph

rejection, and b) The double patenting rejection.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is

correct.

(8) Evidence Relied Upon

20030093320	Sullivan	5-2003
20030061061	Cox et al.	3-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 3, 5-8 and 10-13 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Sullivan (2003/0093320) in view of Cox et al (2003/0061061).

Sullivan shows exchanging transaction-related data between at least a first

and a second transaction tax related application (e.g., modules 270, 272, 276, 274,

tax calculator).

Sullivan does not explicitly show that the data model of the first application is

different from that of the standardized interface data model; that data elements of

the first application's data model are mapped to data elements of the standardized

interface data model; or that the mapping includes reading an output mapping

definition; deriving source information from the data elements the first application

model based on the read output mapping and mapping the information to the data

elements in the standardized interface data model. Sullivan also does not explicitly

show that the first and second software applications are on separate computers.

Cox shows these steps (see e.g., par. 0027). It is noted that it is inherent that the reading, deriving, and mapping steps are performed in performing the mapping, since the mapping definition must be known and the source data must be derived in order to map the data. It would have been obvious to one of ordinary skill in the art to modify the method of Sullivan by providing the standard interface data model and mapping data from the first application data model and modules to the standard interface data model in order to provide communication in a heterogeneous environment.

As to locating the first and second software on separate computers, the examiner takes official notice that it is notoriously old and well known in the art to place different software modules on separate networked machines. It would have been obvious to one of ordinary skill in the art to modify the method of Sullivan by placing at least one different application on a different server in order to minimize the storage and processing load on each machine.

As per claims 3, 5 and 6, Sullivan in view of Cox show mapping the data elements to a second applicant having a different data model from the first application and the standardized interface.

As per claims 10, at least one of the first and second applications is a logging module, a compliance module, a tax filing module, a tax calculation module, a tax content module, or a database for storing tax data (see e.g. "Tax Calculator").

As per claims 11, as broadly claimed, at least one of the applications is one of a basic and a micro service module.

As per claims 12 and 13, Sullivan in view of Cox shows that the mapping is governed by defined rules configurable by the user and implemented by a lookup table.

As per claim 7, Sullivan shows storing transaction related data received from at least one other application in a data warehouse comprising databases (see Figs. 1,2) according to a data warehouse data model.

Sullivan does not explicitly show using a standardized interface data model to enable communication between storage and applications, where they have different data models; mapping the data elements of the modules and storage with the data elements of the standardized interface data model by reading an output mapping definition; deriving source information from the data elements in the warehouse model based on the read output mapping and mapping the information to the data elements in the standardized interface data model.

Cox shows these elements (see e.g., par. 0027). It is noted that it is inherent that the reading, deriving, and mapping steps are performed in performing the mapping, since the mapping definition must be known in order to map the data, and in order to map the source elements, they must be derived from the data elements. It would have been obvious to one of ordinary skill in the art to modify the method of Sullivan by providing the standard interface data model and mapping data from the storage and modules to the standard interface data model in order to provide communication in a heterogeneous environment.

As per claims 8, Sullivan further shows exchanging data to be stored between transaction tax applications (e.g., 270-274, tax calculator) according to a standardized data model (see e.g., Figs 1,2).

(10) Response to Argument

The Appeal Brief filed on December 12th, 2006 under 37 CFR 1.131 has been considered but is ineffective to overcome the Sullivan and Cox references.

Regarding the 103 rejection, Applicants argue that Sullivan's system 200 is intended to ease the transaction tax compliance burdens rather than to further complicate such burdens, which would be case if the Sullivan were to incorporate the teachings in Cox. The Examiner respectfully disagrees because the combination of Sullivan and Cox discloses a standard interface data model and mapping data from the first application data model and modules to the standard interface model in order to provide communication in a heterogeneous environment. Sullivan teaches an alternative embodiment (see 1st and 2nd paragraph of the summary section of the invention). In addition, Sullivan discloses a transaction tax compliance burdens that can be eased through application of a transaction tax compliance system 200 that allows sellers or purchasers to calculate, record, and report the tax liabilities for transactions. Sullivan further discloses that sellers and purchasers, through their billing or purchasing systems, cash registers, and/or websites, may transmit transaction data to one or more centralized processors through telecommunications technology or via their own computer networks. Furthermore, Sullivan's transaction tax compliance system 200 thereafter calculates the appropriate tax liability for the transaction by determining at least one of the

following: 1) whether a taxable event has occurred, 2) where the taxable event

occurred, 3) whether the transaction is subject to standard or special transaction

tax laws or rules, and 4) who is responsible for reporting and remitting the tax

liability.

The analogous-art test requires that a reference is either in the field of the

applicant's endeavor or is reasonably pertinent to the problem with which the

inventor was concerned in order to rely on that reference as basics of rejection. *In

re Oetiker*, 977 F.2d 1443, 1447 (Fed. Cir. 1992). The combination of Sullivan and

Cox are analogous because they are both concerned with transaction-related data

exchange between at least a first and a second transition tax related application.

References are selected as being reasonably pertinent to the problem based on the

judgment of a person having ordinary skill in the art. It is necessary to consider the

reality of the circumstances, in other words, common sense in deciding in which

fields a person of ordinary skill would reasonably be expected to look for a solution

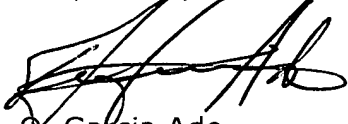to the problem facing the inventor. *In re Wood*, 599 F.2d 1032, 1036, (C.C.P.A.

1979).

For the above reasons, it is believed that the rejections should be sustained.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the Examiner in

the Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

O. Garcia Ade
March 15, 2007

Conferees:

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Ryan Zeender